

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LEANDRE MARTELL,

Plaintiff

Case No. 2:22-cv-00858-RFB-BNW

ORDER

v.

JULIE WILLIAMS, et al.,

Defendants

I. DISCUSSION

This action is a *pro se* civil rights complaint filed under 42 U.S.C. § 1983 by a former state prisoner. In compliance with this Court's order, Plaintiff has submitted an application to proceed in district court without prepaying fees or costs following his release from prison. (ECF Nos. 13, 14). Based on the financial information provided, the Court grants Plaintiff leave to proceed without prepayment of fees or costs under 28 U.S.C. § 1915(a)(1).¹

This case will once again be referred to the Inmate Early Mediation Program. (See ECF No. 3 at 7; ECF No. 13).

II. CONCLUSION

IT IS THEREFORE ORDERED that Plaintiff's application to proceed in district court without prepaying fees or costs (ECF No. 14) is granted. Plaintiff is permitted to maintain this action to conclusion without the necessity of prepayment of any additional fees or costs or the giving of security therefor.

IT IS FURTHER ORDERED that given the nature of the claim(s) that the Court has permitted to proceed, this action is stayed for another 90 days to allow Plaintiff and Defendant(s) an opportunity to settle their dispute before an answer is filed or the

¹ Plaintiff is not subject to the requirements of 28 U.S.C. § 1915(a)(2), (b) because he is no longer a "prisoner" within the meaning of the statute. See 28 U.S.C. § 1915(h).

1 discovery process begins. During this 90-day stay period and until the Court lifts the stay,
2 no other pleadings or papers shall be filed in this case, and the parties shall not engage
3 in any discovery, nor are the parties required to respond to any paper filed in violation of
4 the stay unless specifically ordered by the court to do so. The Court will refer this case
5 to the Court's Inmate Early Mediation Program, and the Court will enter a subsequent
6 order. Regardless, on or before 90 days from the date this order is entered, the Office of
7 the Attorney General shall file a status report regarding the results of the 90-day stay,
8 even if a stipulation for dismissal is entered prior to the end of the 90-day stay. If the
9 parties proceed with this action, the Court will then issue an order setting a date for
10 Defendants to file an answer or other response. Following the filing of an answer, the
11 Court will issue a scheduling order setting discovery and dispositive motion deadlines.

12 "Settlement" may or may not include payment of money damages. It also may or
13 may not include an agreement to resolve Plaintiff's issues differently. A compromise
14 agreement is one in which neither party is completely satisfied with the result, but both
15 have given something up and both have obtained something in return.

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17 DATED: April 7, 2023.

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19 UNITED STATES MAGISTRATE JUDGE